

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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JOSE HERNANDEZ et al.,

Plaintiffs,

-v-

NEW YORK STATE BOARD OF ELECTIONS et al.,

Defendants.
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20-cv-4003 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court held an evidentiary hearing today on Plaintiff's motion for enforcement of the settlement agreement and/or contempt. At the conclusion of the hearing, the Court ruled that Defendants had breached the settlement agreement. The Court reserved decision on the questions of (1) the proper remedy for breach of the settlement agreement; and (2) whether Defendant should be held in contempt and if so what contempt sanctions the Court should impose. As stated at the hearing, it is hereby ORDERED that the parties shall submit briefing on these questions in accordance with the following schedule: Plaintiffs' opening brief shall be submitted on or before August 18, 2022; Defendants' opposition shall be submitted on or before September 1, 2022; and Plaintiffs' reply brief shall be submitted on or before September 9, 2022.

It is further ORDERED that each Friday, beginning on July 29, 2022 and continuing until an RAVBM system is implemented statewide, counsel for Defendants shall submit a report updating the Court on the progress that has been made on implementing such a system. In preparing these reports, counsel for Defendants shall inquire as to the progress of this process from both the New York State Office of General Services as well as the New York State Board of Elections.

SO ORDERED.

Dated: July 21, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge